

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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FRANCISCO JAVIER MARTINEZ ANGEL, *on behalf*
of himself, FLSA Collective Plaintiffs, and the Class,

Plaintiffs,

-v-

CORE SCAFFOLD SYSTEMS INC. *et al.*,

Defendants.
-----X

23-cv-222 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

By letter dated May 23, 2023, Plaintiff informed the Court that Defendants will not oppose Plaintiff's motion for conditional certification and that Defendants have agreed to the revised notice and consent forms and the proposed order attached thereto. The Court would like to see the following changes made to the notice and consent forms and the proposed order:

Notice and Consent Forms:

- At the end of the final paragraph in the section entitled "Your Legal Rights," add the sentence: "The statute of limitations stops running when a consent to join form is filed with the Court."

Proposed Order:

- Add a provision that Plaintiff is required to file consents with the Court within one business day of receipt of each consent.
- Add a provision that Plaintiff is required to post and distribute the notice and consent forms within 21 days of the date of the Order.
- Paragraph 7 should be revised to read as follows: "The time for filing claims under the FLSA for Covered Employees is equitably tolled for a period of 21 days to permit Plaintiff's counsel to distribute notice to potential opt-in plaintiffs."

If the parties agree to the above changes, Plaintiff is directed to file a revised Proposed Order and revised notice and consent forms for the Court's review.

SO ORDERED.

Dated: May 25, 2023
New York, New York



LEWIS J. LIMAN
United States District Judge